

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

STEVEN W. JARRETT,

Defendant.

}

8:11CR365

ORDER

Defendant Steven W. Jarrett (Jarrett) appeared before the court on October 28, 2011, on the Petition for Warrant or Summons for Offender Under Supervision (Petition) (Filing No. 1). Jarrett was represented by Assistant Federal Public Defender Richard H. McWilliams and the United States was represented by Assistant U.S. Attorney Kimberly C. Bunjer. Through his counsel, Jarrett waived his right to a probable cause hearing on the Petition pursuant to Fed. R. Crim. P. 32.1(a)(1). I find that the Petition alleges probable cause and that Jarrett should be held to answer for a final dispositional hearing before Chief Judge Joseph F. Bataillon.

Through counsel, Jarrett declined to present any evidence or request a hearing on the issue of detention. Since it is Jarrett's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is neither a flight risk nor a danger to the community, the court finds Jarrett has failed to carry his burden and that Jarrett should be detained pending a dispositional hearing before Chief Judge Bataillon.

**IT IS ORDERED:**

1. A final dispositional hearing will be held before Chief Judge Joseph F. Bataillon in Courtroom No. 3, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 3:00 p.m. on November 18, 2011**. Defendant must be present in person.

2. Defendant Steven W. Jarrett is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;

3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and

4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 28th day of October, 2011.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge